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Draft report

Chapter III

Recommendations and decisions

A. General statements

1. Statements were made by representatives of the following States members of the Committee during the general exchange of views: Algeria, Argentina, Brazil, Canada, Chile, China, Czechia, Denmark, Ecuador, France, Germany, Greece, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Kenya, Mexico, Nigeria, Oman, Pakistan, Poland, Republic of Korea, Romania, Russian Federation, South Africa, United Arab Emirates and United States. Statements were also made by the representative of South Africa on behalf of the Group of African States, by the representative of Ecuador on behalf of the Group of 77 and China, and by the representative of Bolivia (Plurinational State of) on behalf of the Group of Latin American and Caribbean States. The observers for the African Association of Remote Sensing of the Environment, APSCO, EUTELSAT-IGO, ISNET, the National Space Society, the Regional Centre for Remote Sensing of North African States, SGAC and the Secure World Foundation also made statements.

2. At the 743rd meeting, the Chair delivered a statement highlighting the growth in the membership of the Committee as evidence that the international community attached increasing importance to cooperation in outer space affairs. She noted that the General Assembly had recognized that, at the global level, the Committee and its subcommittees, assisted by the Office for Outer Space Affairs, formed a unique platform for international cooperation in space activities. She also noted that the Assembly had welcomed the adoption by the African Union of the African Space Policy and Strategy. She underlined that the Committee worked in a uniquely collegial way, with States working together irrespective of their political, technical or economic situation in order to find constructive, consensual solutions to important issues relating to the mandate of the Committee.

3. At the 744th meeting, the Director of the Office for Outer Space Affairs made a statement in which she underlined, among other things, that the overall UNISPACE+50 process, including the road towards "Space2030", was aimed at building synergies between space science, technology, law and policy to foster global governance for the benefit of, in particular, developing countries. In the Director's

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words, the Committee was the only intergovernmental platform at the global level that had a broad and comprehensive mandate in the area of international cooperation in the peaceful uses of outer space, and the mandates and programmes of the Office for Outer Space Affairs reflected this. The Director also outlined the plans of the Office to further strengthen its partnership with Member States, international organizations and other space actors from the broader space community.

4. On behalf of the United Nations, the Director expressed gratitude to China, France, Israel and Pakistan for donating or lending models of their national space objects to the Office's permanent exhibition at the United Nations Office at Vienna.

5. The Committee heard the following presentations:

(a) "ISEF2 and beyond: towards international space exploration", by the representative of Japan;

(b) "United States national space traffic management policy", by the representative of the United States;

(c) "An institute for space debris prevention and control", by the observer for IAASS;

(d) "UNISEC-Global challenge: 2030-ALL", by the observer for UNISEC-Global;

(e) "Development of green rocket propellant in Poland", by the representative of Poland;

(f) "First results of the AMADEE-18 Mars landing simulation in the Omani desert", by the representative of Austria;

(g) "SGAC: From UNISPACE III to today", by the observer for SGAC;

(h) "A Hellenic academic research initiative for the manned exploration of Mars: the example of habitats and analogue rock sites", by the representative of Greece;

(i) "China's cooperation plan on lunar and deep space exploration", by the representative of China.

6. The Committee welcomed Bahrain, Denmark and Norway as the newest States members of the Committee, bringing its membership to 87 States. The Committee also welcomed the European Science Foundation, represented by the European Space Sciences Committee, and UNISEC-Global as its newest permanent observers.

7. Some delegations expressed the view that, thanks to the comprehensive draft resolution endorsed during the high-level segment and recommended to the General Assembly for adoption at its seventy-third session, UNISPACE+50 offered the first milestone opportunity since the preceding Conference, UNISPACE III, was held in 1999, to address overarching long-term development concerns.

8. Some delegations expressed the view that one of the important objectives of UNISPACE+50 had created an incentive for reaching a consensus on the "Space2030" agenda. For space activities to contribute to the achievement of global initiatives such as the 2030 Agenda for Sustainable Development, the Sendai Framework for Disaster Risk Reduction 2015–2030 and the Paris Agreement on climate change, global partnerships needed to be strengthened. One way of doing this was to enhance the role and the capacity of the regional centres for space science and technology education, affiliated to the United Nations, and UN-SPIDER.

9. Some delegations expressed the view that, given the increasing complexity of the space agenda, the renewed commitment to human deep space exploration and the inclusion of sustainable development on Earth and the sustainability of outer space activities in the global agenda as key items, it was very timely for the Committee to launch the development of the "Space2030" agenda.

10. The view was expressed that the UNISPACE+50 process, which built on the success of UNISPACE III, was recognition that private sector involvement in space exploration and space applications was becoming increasingly important. The UNISPACE+50 process also showed how Governments, the United Nations and civil society could partner to advance innovative space applications for the benefit of everyone.

11. The view was expressed that it was important for all States, as well as for the Committee and its subcommittees, to ensure that the values expressed in the United Nations Charter would always be the foundation of humanity's endeavours in the boundless expanses of space.

12. Some delegations expressed the view that outer space should be explored and used exclusively for peaceful purposes. In their exploration and use of outer space, States should realize a shared vision for the future that was in the best interests of all countries, irrespective of their degree of economic or scientific development, and in conformity with international law.

13. Some delegations expressed the view that the safety, security and sustainability of outer space activities would be warranted if they were carried out in accordance with applicable international law, rules, regulations and resolutions.

14. Some delegations reaffirmed the importance of preventing an arms race and the placement of weapons of any kind in outer space, with an appropriate and effective verification mechanism. They called upon all States, in particular those with major space capabilities, to actively ensure that outer space was used for peaceful purposes and to refrain from taking any action contrary to that purpose, to prevent an arms race in outer space and to refrain from placing weapons of any kind in outer space. In that regard, transparency and confidence-building measures could play a useful role.

15. Some delegations reaffirmed their strict adherence to the principles governing the activities of States in the exploration and use of outer space, including those outlined in General Assembly resolutions 1962 (XVIII) and 1884 (XVIII), namely: universal and equal access to outer space for all countries without discrimination, regardless of their level of scientific, technical and economic development, and the equitable and rational use of outer space for the benefit and in the interests of all humankind; the non-appropriation of outer space, including the Moon and other celestial bodies, which cannot be appropriated by any State, by claim of sovereignty, by means of use or occupation or by any other means; commitment by States for national activities in outer space, whether carried on by governmental agencies or by non-governmental entities; the non-militarization of outer space, which should never be used for the placement and/or deployment of weapons of any kind, and, as the province of humankind, should be used strictly for the improvement of living conditions and the pursuit of peace among peoples that inhabit the Earth; and international cooperation in the development of space activities, especially those referred to in the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries.

16. Some delegations expressed the view that the steady increase in the number of applications for Committee membership in recent years was a clear sign that interest in the exploration and use of space for peaceful purposes was growing and that there was recognition for the role played by space science and technology and its applications in the achievement of the Sustainable Development Goals.

17. Some delegations expressed the view that the Committee had a vital role to play in bridging the gap between spacefaring nations and emerging space nations by enhancing cooperation in capacity-building for space technology and its applications.

18. Some delegations expressed the view that the challenge of developing an agenda for the Committee and its subcommittees based on a broad and long-term vision aimed, in the first place, at fulfilling the Sustainable Development Goals, implied

recognition that the role and activities of the Committee and the Office should be strengthened and that working methods should be improved.

19. The view was expressed that the Committee's work to foster international cooperation and develop solutions to multilateral space policy issues continued to be intrinsic to ensuring that outer space continued to be used for the benefit of humankind in a sustainable and peaceful manner, and that increased reliance of humankind on space technology, the continuous growth of space actors and the growing threat posed by space debris were significant challenges that renewed the impetus for the critical work of the Committee.

20. Some delegations expressed the view that the Committee and its subcommittees continued to be the suitable forums to discuss matters related to the peaceful uses of outer space including the Moon and other celestial bodies and that interaction between the Scientific and Technical Subcommittee and the Legal Subcommittee should be strengthened so that space law and global space governance were developed in tandem with major scientific and technical advances.

21. Some delegations expressed the view that international cooperation in space activities should be inclusive, taking into consideration the level of technological development of, in particular, developing countries and countries with specific geographical environments, thus enhancing the use of outer space for peaceful purposes.

22. The view was expressed that space cooperation in the twenty-first century would be one of the most powerful mechanisms to bring countries closer together and forge constructive partnerships, and that cooperation would require isolationism to be reduced while encouraging countries to refrain from engaging in unilateral action and commit to multilateralism. The delegation expressing this view was also of the view that regional and global challenges facing humankind could not be addressed effectively unless multilateral participation and collaboration were promoted.

23. The view was expressed that outer space was a tool for peace, diplomacy and collaboration among countries and that international collaboration made space exploration possible. International collaboration remained absolutely essential, given the demands and challenges of space.

24. The Committee expressed its appreciation for the organization of the following events held on 22 June:

(a) A legal symposium entitled "The role of intergovernmental organizations in the application and development of space law", co-organized by the European Space Agency (ESA), the University of Cologne and the European Space Policy Institute (ESPI);

(b) A panel meeting entitled "Earth observation solutions for Sustainable Development Goals", organized by ESA;

(c) A lunchtime event entitled "United Arab Emirates Space+50", organized by the United Arab Emirates;

(d) An evening event entitled "Interregional space policy dialogue between the Asia-Pacific region and Europe: towards space policy for socioeconomic development", jointly organized by ESPI and the Asia-Pacific Regional Space Agency Forum (APRSAF).

B. Ways and means of maintaining outer space for peaceful purposes

25. In accordance with paragraph 14 of General Assembly resolution 72/77, the Committee continued its consideration, as a matter of priority, of ways and means of maintaining outer space for peaceful purposes and its consideration of the broader perspective of space security and associated matters that would be instrumental in

ensuring the safe and responsible conduct of space activities, including ways to promote international, regional and interregional cooperation to that end.

26. The representatives of Indonesia, Japan, Pakistan, the Russian Federation and the United States made statements under the item. During the general exchange of views, statements relating to the item were also made by other member States.

27. The Committee had before it a working paper submitted by the Russian Federation entitled "Survey of the problem of discretion exercised by States in interpreting basic legal principles and norms related to safety and security in outer space" (A/AC.105/2018/CRP.17).

28. The Committee heard a presentation by the representative of Japan entitled "New Efforts of the Asia-Pacific Regional Space Agency Forum".

29. The Committee agreed that through its work in the scientific, technical and legal fields, as well as through the promotion of international dialogue and the exchange of information on various topics relating to the exploration and use of outer space, it had a fundamental role to play in enhancing transparency and confidence-building among States, as well as in ensuring that outer space was maintained for peaceful purposes.

30. Some delegations expressed the view that the international legal framework governing space-related activities must allow for the development of new activities and new technologies that might be used in space, while adhering to the fundamental principles outlined in the United Nations treaties on outer space, and that, although the international community had taken a number of steps to secure outer space from uses that were anything other than peaceful, a long-lasting commitment to those goals required international cooperation that coherently addressed the diverse issues faced by humankind.

31. The view was expressed that the risk that outer space may be used for military purposes was inherent to the development of space technologies, as many space technologies could serve dual functions, as shown by the integration of commercial satellite communications technology into military communications and surveillance infrastructure. The United Nations should continue to play a decisive role in outer space affairs and the peaceful uses of outer space and should review the existing body of space law in a spirit of international cooperation aimed at using outer space for peaceful purposes.

32. The view was expressed that in the past years, the methods of work under the present agenda item, to be considered as a matter of priority, had not evolved to a satisfactory degree, which might imply that the majority of States members of the Committee did not consider it to be a matter of priority. In that regard, the consideration of this item should be given a thoroughly new dimension that would allow States to initiate a productive dialogue through a substantive analytical endeavour and form a shared vision of realistic ways to increase safety and security in outer space. The degree of success in that work would determine the outlook for the preservation of outer space for peaceful purposes. Therefore, the Committee needed in that regard a well-defined agenda and a commonly agreed road map for ensuring space safety and security in outer space.

33. The view was expressed that in the light of the lack of commitment of States members to undertaking substantial work under this item, the Committee continued to lose its relevant analytical skills and competence, while some national educational and research establishments conducted studies in which they were applying their knowledge and logic for the purposes of both interpreting existing norms and forming a kind of new institutional matrix, such as global space governance or global governance of outer space activities.

34. The view was expressed that the Committee continued to have the authority to promote international cooperation in space in its scientific, technical and legal aspects, as mandated by the General Assembly in its resolution 1472 (XIV) A of 12 December 1959; and continued to be a subsidiary organ of the General Assembly

with a political character, which signified that it was important to address international space cooperation beyond a merely technical perspective and to keep up with current issues objectively.

35. The view was expressed that as part of the United Nations system, the Committee should engage in interaction with all entities of that system in order to achieve the Committee's fundamental objective of maintaining peace and security in outer space. In that connection, the delegation expressing that view was also of the view that that consideration of issues within the Committee should be conducted in parallel with the consideration of the prevention of an arms race in outer space by the First Committee and the Conference on Disarmament, as the Committee had responsibilities to strengthen the international basis for outer space to be used solely for peaceful purposes, which, inter alia, could include the further development of international space law.

36. The view was expressed that the Committee continued to be the prime United Nations body for deliberation on all aspects of space activities and to keep abreast of important developments in other forums, such as the Conference on Disarmament. The delegation expressing that view was also of the view that negotiations must continue on the prevention of an arms race in outer space and underscored the importance of work of the Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, established pursuant to General Assembly resolution 72/250 on further practical measures for the prevention of an arms race in outer space.

37. The view was expressed that the report of the Secretary-General on transparency and confidence-building measures in outer space activities (A/72/65) and the deliberations within the Committee on that report, as well as specific inputs provided by Member States, could serve as important inputs for providing guidance to the Office for Outer Space Affairs, as well as for the possible evolution of the Committee's mandate to address emerging challenges to the peaceful use of outer space. Those deliberations could also help identify opportunities for how the Office could, within existing resources, better assist Member States in implementing specific recommendations of the Group of Governmental Experts.

38. The view was expressed that in view of the success of the report of the Group of Governmental Experts of 2013 (A/68/189) and its recommendations, and the direct collaboration between the Office for Outer Space Affairs and the Office for Disarmament Affairs in developing options for improved coordination in the United Nations system on transparency and confidence-building measures, as well as other relevant accomplishments of the Committee, there were no convincing arguments that would advocate for the need for action to be taken by the Committee relating to the so-called "weaponization" of outer space. Since the Committee began its work nearly six decades ago, it had been clear that there would be separately chartered efforts to deal specifically with space disarmament issues; those would include forums such as the First Committee of the General Assembly, the Conference on Disarmament and the Disarmament Commission.

39. The view was expressed that it was important to continue to pursue non-legally binding, voluntary measures, such as "best practice" guidelines, transparency and confidence-building measures, and norms of safe and responsible behaviour in outer space, which would, in addition to aiming to preserve the space environment for future generations, offered the best opportunity to avoid potentially provocative, aggressive actions in outer space that might trigger dangerous misinterpretations and miscalculations and could be seen as escalatory in a crisis or conflict.

40. The view was expressed that the regulation of the safety and security of space operations should be developed within the framework of a set of guidelines for the long-term sustainability of outer space activities. That should be followed by a rational analysis, in accordance with their intensity and other criteria, of various types of harmful interference in space activities; and by the development of methods for mitigating persisting hazards which occur under circumstances when consultations

regarding their mitigation cannot be conducted by means of objective reasons, or if such consultations are concluded without having achieved results.

41. The view was expressed that many States members took a cautious approach to analysing the legal basis for, and the modalities of, resorting, in a hypothetical case, to self-defence in accordance with the Charter of the United Nations as applied to outer space, and that this categorical non-acceptance in the context of the Committee constituted negligence with respect to the tremendous responsibility for ensuring peace and security in outer space that rested with every State member of the Committee. The delegation expressing that view was also of the view that the analysis of the existing national practices regarding self-defence in outer space would lead to the understanding that the resort to self-defence was not conditional on a direct use of weapons and, moreover, was not directly linked with the matter of the existence or non-existence of weapons in outer space.

42. The view was expressed that any discussion concerning the right of self-defence would be counterproductive to the collective past efforts of States to negotiate a legally binding treaty on the prevention of an arms race in outer space.

43. The view was expressed that the new National Space Strategy, approved by the President of the United States of America, would seek not only to advance the benefits of space for the United States but also to ensure that all nations could benefit from the tremendous potential that space offered.

44. The Committee noted with satisfaction the continuous developments in a number of cooperative endeavours that were being pursued at the international, regional and interregional levels by various actors, such as States and international intergovernmental and non-governmental organizations, and emphasized that such cooperation was essential for strengthening the peaceful uses of outer space and for assisting States in the development of their space capabilities. In that regard, the Committee noted the important role that bilateral and multilateral agreements played in promoting common space exploration objectives and cooperative and complementary space exploration missions.

45. Some delegations expressed the view that the United Nations was essential for strengthening and developing cooperation and collaboration among countries, in particular with regard to scientific and space technology, and for maximizing space resources for the common prosperity, security and the long-term sustainability of outer space activities. The delegations expressing that view were also of the view that solid cooperation should enhance information-sharing and technical cooperation among countries in line with the principles of friendship, equal partnership and mutual respect.

46. The Committee noted that the Government of Nigeria would host the seventh African Leadership Conference on Space Science and Technology for Sustainable Development, to be held in Abuja from 5 to 9 November 2018.

47. The Committee also noted that the Government of the Bolivarian Republic of Venezuela and the Bolivarian Agency for Space Activities had hosted the second Venezuelan conference on space technology, which had been held in Caracas from 18 to 20 September 2017.

48. The Committee further noted that the twenty-fourth session of the Asia-Pacific Regional Space Agency Forum, on the theme of space technology for enhanced governance and development, had been held in Bangaluru, India, from 14 to 17 November 2017. The twenty-fifth session would be held in Singapore from 6 to 9 November 2018.

49. The Committee noted that the eleventh meeting of the Council of APSCO, hosted by the Government of the Islamic Republic of Iran and organized by the Iranian Space Agency, had been held in Tehran from 11 to 14 September 2017. The Tenth Anniversary High-Level Forum, organized by APSCO and the Chinese

Government, would be held in Beijing from 14 to 16 November 2018, with the theme "Community of shared future through space cooperation".

50. The Committee recommended that at its sixty-second session, in 2019, consideration of the item on ways and means of maintaining outer space for peaceful purposes should be continued, on a priority basis.